



2021 ANNUAL SURVEILLANCE TECHNOLOGY REPORT

Dayton Police Department

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TO THE CITY COMMISSION AND COMMUNITY

Purpose

To ensure transparency and oversight to protect the civil rights and liberties the Dayton City Commission passed the Surveillance Technology Ordinance which requires an Annual Surveillance Technology Report to be provided to the Commission to inform the public on the use of such technologies.

Report Elements

- A general description of how the Surveillance Technology was used, including general locations and neighborhoods where technology or equipment was deployed.
- A general description of whether and how often data acquired through the use of the Surveillance Technology was shared with outside entities, the type(s) of data and general justification for the disclosure(s).
- A summary of community complaints about the Surveillance Technology item.
- The results of any internal audits required by the Surveillance Use Policy and information about violations of the Use Policy.
- Information including crime statistics, where applicable, that help the Commission assess whether the Surveillance Technology has been effective at achieving its identified purposes.
- An analysis of any discriminatory or other adverse impacts the use of the surveillance technology may have had on the public's civil rights and civil liberties.
- Total costs, to the extent possible, including personnel, maintenance, and other ongoing costs, for the Surveillance Technology and anticipated funding for the technology as needed.
- Any requested modifications to the Surveillance Technology Use Policy applicable to the item.
- Aggregate information concerning technology or tools exempted.

Definitions

Familiarization with the following terms will assist the reader in comprehending the discussion of the deployed technologies.

- Gunshot Detection Technology (Shotspotter): Fixed location detection devices that
 identify and triangulate the genesis of the location of gunfire. Alerts are automatically
 sent to the Regional Dispatch Center (RDC) and are available to responding officers on
 mobile devices.
- Downtown Dayton Cameras: Fixed video cameras with pan, tilt, and zoom capabilities
 that are located throughout the Central Business District that provide a live feed and
 record (based on motion) and are focused on public right of ways.
- Body Worn Cameras (BWC): Audio/video recording devices worn by Dayton Police
 Officers while performing various duties and interacting with the public.
- Mobile Vehicle Recorders (MVR): Audio/video recording devices equipped in marked police cruisers capturing audio visual activity internally and externally within close proximity of the police cruisers.
- Automatic License Plate Readers(ALPR): Devices that capture license plate numbers from motor vehicles and provides alerts to officers if the registration is tied with a crime ie stolen vehicle or used in a violent offense.
 - Mobile ALPR (currently in use since 2008): Devices mounted to front and rear of police cruisers capturing license plate data.
 - Mobile ALPR (New Axon System not yet deployed): Devices are internal to the MVR (in-car camera) and will be part of the MVR upgrade scheduled in 2022 as part of the contractual hardware update of the Axon MVR system.
 - Fixed Site ALPR (Beta-tested in 2020 but not currently part of DPD inventory):
 Devices which function in the same manner as the Mobile LPRs but are located in fixed sites.
- Unmanned Aerial Surveillance (UAS): Airborne devices that may be utilized in limited capacity to provide video feedback in critical incidents to operational units. Possible uses include accident scene re-construction, severe weather damage assessments, and missing persons cases.

Technology	Vendor
Gunshot Detection Technology	Shotspotter (Newark, NJ)
Downtown Dayton Cameras	Axis Communications (Lund, Sweden)
Body Worn Cameras	Axon Enterprise (Scottsdale, AZ)
Mobile Vehicle Recorders	Axon Enterprise (Scottsdale, AZ)
Mobile Automatic License Plate Readers	ELSAG (Greensboro, NC)
Wobile / diomatic License Flate Nedders	Axon Enterprise (Scottsdale, AZ) - Pending
UAS	DJI (Shenzhen, China)

Deployed Technologies

The following is the surveillance technology deployed during 2021, as well as the details of their use.

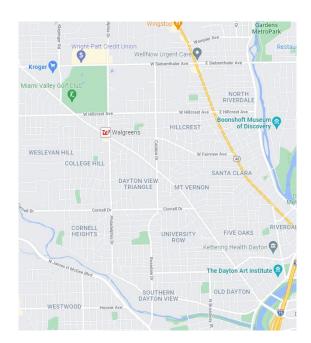
1) ShotSpotter

Purpose

The purpose of this system is to enhance the department's ability to expedite response to violent crimes involving gunfire and investigate them more effectively. By using ShotSpotter to respond to all known unlawful firearms discharges, the Police Department demonstrates how seriously it takes these types of crimes, and hopes the response will encourage residents to report them whenever they occur.

General Description

ShotSpotter is a gunshot detection technology that uses microphones to record and triangulate the location of gunshots. The recordings are then sent to ShotSpotter's dispatch center, where an operator listens to the recording and verifies the sound is a gunshot. ShotSpotter notifications are sent to the Montgomery County Regional Dispatch Center, which sends Dayton Police officers to the location of the gunshot to investigate. The system covers a three-square-mile area in the Salem Avenue and N. Main corridors.



Data Sharing

ShotSpotter data is shared with the Montgomery County Regional Dispatch Center on a constant basis in order to deploy police resources. This sharing is necessary for the operation of the program.

Citizen Complaints

While the department received no official complaints about ShotSpotter, there were concerns in the community that the technology is not efficient at reducing crime but increases "over-policing" in minority neighborhoods. The area ShotSpotter was deployed was specifically chosen because of the high rate of criminal activity involving firearms.

Another complaint detractors bring forth is that the program is inaccurate in classification of gunshots, and that it is not an effective tool in reducing gun violence.

Internal Audits

An internal audit found no violations of the ShotSpotter policy in regards to training, data collection, data access, data protection, data retention or public access of the system.

Impact on Crime

As a result of responding to ShotSpotter alerts, the Police Department arrested 36 individuals, seizing 28 firearms in the process. When officers respond to ShotSpotter calls, they collect shell casings which are analyzed by a NIBIN (National Integrated

Ballistic Information Network) machine. By collecting these casings and having them analyzed, the firearms can be linked to other crimes, helping to establish a history of where the firearm was, potentially a timeline of who possessed it, and when.

In 2021, the Police Department received 1373 ShotSpotter calls. Of those, we only received 256 calls from citizens about shots being fired. This figure makes it clear that at least in this neighborhood, most citizens do not call Police when they hear gunshots, possibly because they don't believe the Police Department will take any action. By responding to every report of gunshots, the Police Department demonstrates to the public it does take this type of behavior seriously and encourages them to report criminal activity.

Analysis of Discriminatory or Adverse Impact

As previously mentioned, the region designated to be the ShotSpotter deployment area was specifically chosen solely because of the high rate of criminal activity involving firearms.

The below graph shows the percentage of victims of gun crime by race in the 45405 and 45406 zip codes, as well as the total racial demographic of these areas. The chart lists all victims of Homicide, Felonious Assault, and Aggravated Robbery, excluding businesses and police officers.

Race	2018	<u>2019</u>	2020	2021	2022YTD	<u>Total</u>	45405 Population	45406 Population	<u>Combined</u> <u>Population</u>
В	69	83	101	69	13	335	12,920	18,946	31,866
W	10	23	14	10	0	57	5,562	2,698	8,260
Other	5	7	1	2	0	15	323	351	674
Total	84	113	116	81	13	407	18805	21995	40800
Race	2018	2019	2020	2021	2022YTD	<u>Total</u>	Population	Population	<u>Population</u>
В	82%	73%	87%	85%	100%	82%	69%	86%	78%
W	12%	20%	12%	12%	0%	14%	30%	12%	20%
Other	6%	6%	1%	2%	0%	4%	2%	2%	2%

As the chart shows, the area is 78% black and 82% of the victims of violent crime are also black.

Total Cost

The Police Department paid \$195,000 for ShotSpotter in 2021. The funding came from the Community Development Block Grant.

2019 Cost	2020 Cost	2021 Cost	2022 Cost
\$205,000	\$195,000	\$195,000	\$195,000

In 2021, Dayton Police Officers spent a total of 1,575.15 hours responding to ShotSpotter calls, which would equate to approximately \$53,240 in operation costs.

Assessment

The below chart demonstrates the crime states in the ShotSpotter area. The ShotSpotter system went online on December 11, 2019.

CRIME CATEGORY	2019	2020	% CNG	2021	%CNG	%CNG from 2019
PART 1 VIOLENT	263	242	-8%	207	-14% 棏	-21% 棏
PART 1 PROPERTY	794	793	-0.1% 棏	733	-8%	-8% 👃
ALL PART 1 CRIME	1057	1035	-2%	940	-9% 👃	-11% 棏
PART 2 VIOLENT	711	749	+5%	755	+1% 合	+6% 👚
PART 2 PROPERTY	354	374	+6%	344	-8%	-3%
ALL PART 2 CRIME	1065	1123	+5.4% 👚	1099	-2%	+3% 👚
OTHER CRIME	1108	1112	0.4%	1359	+22% 👚	+23% 👚

The following chart shows crime statistics for the entire city during the same time period.

CRIME CATEGORY	2019	2020	% CNG	2021	%CNG	%CNG from 2019
PART 1 VIOLENT	1226	1187	-3%	1000	-16% 棏	-18% 棏
PART 1 PROPERTY	5956	5738	-4%	5295	-8%	-11% 棏
ALL PART 1 CRIME	7182	6925	-4%	6295	-9%	-12% 👃
PART 2 VIOLENT	4179	4091	-2% 👃	4190	+2%	+.02%
PART 2 PROPERTY	2409	2421	0%	2226	-8%	-8% 👃
ALL PART 2 CRIME	6588	6512	-1%	6416	-1%	+3%

While the crime statistics may not appear to substantial, our use of ShotSpotter demonstrates the department's dedication to respond to every incident of gun crime, and is part of a long-term strategy to both combat crime, and improve the perception of how serious we view the problem.

Requested Modifications

There are no requested modifications to the Surveillance Technology Use Policy applicable to ShotSpotter.

Policy

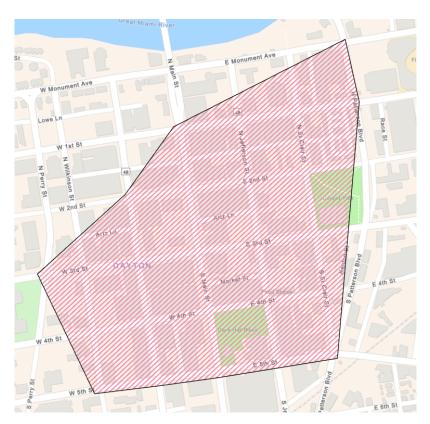
2) Downtown Dayton Cameras

Purpose

The purpose of the cameras is to help contribute to the safety of residents and visitors in the downtown area by recording events on public sidewalks and streets. The footage recorded will aid in the identification, and prosecution of individuals who chose to commit crimes downtown.

General Description

In 2013, the Police Department was given 25 Axis security cameras from the University of Dayton Research Institute at no cost. These cameras are placed throughout the downtown area. Officers in the Central Patrol Division can view the footage from the cameras on a monitor in their roll call room. Members of the Strategic Planning Bureau are also able to log in to the cameras so they can be monitored during incidents of interest.



Data Sharing

Only members of the Strategic Planning Bureau have access to recorded footage from the Downtown Dayton Cameras. Data retention is managed pursuant to public records law. Footage is shared with other agencies for law enforcement purposes as requested.

Citizen Complaints

The Police Department is unaware of any concerns or complaints about the Downtown Dayton Cameras.

Internal Audits

An internal audit found no violations of the Public Camera Surveillance Systems. Standard Operating Procedure in regard to training, data collection, data access, data protection, data retention or public access of the system. The audit does recommend that malfunctioning or end of life equipment be replaced.

Impact on Crime

The most vital deployments of this camera system were during the Honorable Sacred Knights (HSK) rally in 2019, and during the civil unrest that occurred on May 30, 2020. The cameras are used as needed during protests, and at the request of other law enforcement personnel to find footage of specific criminal incidents or described suspects in specific criminal incidents. More recently, on January 18, 2022, Strategic Planning Bureau personnel used the cameras to locate the suspects involved in a triple shooting that occurred at the RTA Hub at 4 North Main Street.

Analysis of Discriminatory or Adverse Impact

There is no evidence to suggest this system has any discriminatory impact on any group.

Total Cost

The Police Department paid \$2500 to Milestone Systems to cover software maintenance costs for 2021 - 2023.

2019 Cost	2020 Cost	2021 Cost	2022 Cost
\$0	\$0	\$2500	\$0

Since replacement parts for the system are no longer being manufactured, time spent maintaining this system is negligible.

Assessment

Overall, the Police Department is pleased with the performance of the technology. However, the system is obsolete, and replacement parts for some of the hardware are no longer being manufactured.

Requested Modifications

There are no requested modifications to the Surveillance Technology Use Policy applicable to the Downtown Dayton Cameras.

Standard Operating Procedure

https://public.powerdms.com/DAYTONOH/tree/documents/960027

3) Body Worn Cameras

Purpose

The Body Worn Cameras serve three main purposes:

- 1) Accurate documentation of police-public contacts, arrests, and critical incidents
- 2) Enhancing the accuracy of officer reports and testimony for court proceedings
- 3) Assisting with documentation of crime and accident scenes, or other events that include the confiscation and documentation of evidence or contraband.

The cameras will provide vital evidence into investigations of police interaction with citizens, as well providing transparency to the public about police actions.

General Description

The Dayton Police Department purchased 240 Body 2 Body Worn Cameras from Axon Enterprise and deployed them in March 2021. In October, the department purchased an additional 155 Flex 2 and Body 2 Body Worn Cameras. These cameras are designed to be worn by Police personnel to record interactions with citizens. The recordings are then uploaded to the Evidence.com server where they can be viewed by supervisors, investigators, and court personnel. Footage from Body Worn Cameras, which operates in tandem with Axon's Mobile Video Recording system, was used in administrative investigations, officer involved shootings, and criminal investigations.

Data Sharing

The footage is shared with the Montgomery County Prosecutor's Office and the City of Dayton Prosecutor's Office for prosecution, the Public Defender's Office upon request, and the general public pursuant to public records requests on a regular basis.

Citizen Complaints

The Police Department is unaware of any specific complaints or concerns about the Body Worn Cameras. However, some privacy advocates have expressed concern that the cameras record sensitive information or footage which could be released to the public upon request, against the wishes of the subject(s) being recorded.

Internal Audits

An internal audit found investigations where officers did not have cameras activated as directed by policy, but no violations in regards to training, data collection, data access, data protection, data retention, or public access of the system.

Impact on Crime

Not applicable.

Analysis of Discriminatory or Adverse Impact

One of the driving factors behind purchasing Body Worn Cameras is to help provide transparency in police/community interactions. The use of this technology will help provide clarity into allegations about police conduct, as well as discriminatory behavior.

Total Cost

As the hardware for the Body Worn Cameras was purchased this year, the Police Department incurred several one-time costs. The total cost in 2021 for both hardware purchases, as well as software licenses was \$362,000.

2019 Cost	2020 Cost	2021 Cost	2022 Cost
N/A	N/A	\$362,000	\$315,000

Assessment

The quality of the audio and video provided by the cameras is excellent, and it is an effective tool in providing transparency to the public.

Requested Modifications

There are no requested modifications to the Surveillance Technology Use Policy

applicable to the Body Worn Cameras.

Policy

https://public.powerdms.com/DAYTONOH/tree/documents/959269

4) Mobile Vehicle Recorders

Purpose

The purpose of the Mobile Vehicle Recorders is to provide accurate documentation of police-public contacts, as well as traffic offenses and subject transports.

General Description

The Police Department has Axon Enterprise Fleet 2 Mobile Vehicle Recorders (MVRs) in its marked vehicles. The system has a camera that faces ahead of the cruiser to record officer interactions with drivers on traffic stops, as well as a camera in the backseat of the cruiser to record footage of subjects being transported by officers. These recordings are uploaded to the Evidence.com server where they can be viewed by supervisors, investigators, and court personnel. Footage from the MVRs, which operates in tandem with the Body 2 Body Worn Camera system was used in administrative investigations, officer involved shootings, and criminal investigations.

Data Sharing

The footage is shared with the Montgomery County Prosecutor's Office and City of Dayton Prosecutor's Office for prosecution, the Public Defender's Office upon request, and the general public pursuant to public records requests on a regular basis.

Citizen Complaints

The Police Department is unaware of any complaints or concerns about the Mobile Vehicle Recorders.

Internal Audits

An internal audit found investigations where officers did not have cameras activated as directed by policy, but no violations in regards to training, data collection, data access, data protection, data retention or public access of the system.

Impact on Crime

Not applicable.

Analysis of Discriminatory or Adverse Impact

There is no evidence to suggest this technology has any discriminatory impact on any group. In fact, its primary purpose is to provide transparency in police/community interactions.

Total Cost

The costs for the Fleet 2 system in 2021 was \$281,100.

2019 Cost	2020 Cost	2021 Cost	2022 Cost
\$287,700	\$287,700	\$281,100	\$281,100

Assessment

The quality of the audio and video provided by the MVRs is generally excellent. However, there was an issue of cameras not recording throughout the year until Axon technicians came to Dayton in October, and determined the problem was caused by an issue involving how a grounding wire in the vehicle was installed. After the grounding wire issue was resolved, this problem has almost entirely disappeared.

Requested Modifications

There are no requested modifications to the Surveillance Technology Use Policy applicable to the Mobile Vehicle Recorders.

Policy

https://public.powerdms.com/DAYTONOH/tree/documents/908376

5) Mobile License Plate Readers

Purpose

The purpose of Automated License Plate readers is to:

- Provide personnel with an automated method of identifying vehicles and license plates connected to criminal activity.
- Notify personnel of the location of vehicles wanted for time sensitive investigations such as Amber Alerts or Silver Alerts.

General Description

The Mobile License Plate Readers (LPR) are attached to the outside of five (5) Dayton Police Department cruisers. The cameras scan the license plates of other motor vehicles it drives past and notifies the driver of the cruiser if any of the plates are entered into the LPR database as being wanted in connection with a crime. The license plates are also saved in a database that can be searched later if a user is looking for a specific vehicle.

Data Sharing

The data is shared with the Montgomery County Sheriff's Office through a direct link to a server that stores the information. The current system, which consists of one operable license plate reader, was purchased through Montgomery County Emergency Management Agency, and they selected Montgomery County Sheriff's Office to manage the server. This server has no connectivity to any Federal agency, and does not connect to the Vigilant Solutions software that Immigration and Customs Enforcement uses.

Citizen Complaints

The Police Department is aware of concerns in the community that Mobile License Plate Reader technology can be used for immigration enforcement or racial profiling. The technology does not utilize any sort of facial recognition technology, nor does it record any sort of data pertaining to the ethnic or immigration status of a vehicle's occupants. The devices are meant only to take pictures of the license plates of passing vehicles.

Another concern held by citizens is that the cameras present a privacy concern by tracking the travel history of vehicles in areas the vehicles travel.

Internal Audits

An internal audit found no violations of the Mobile License Plate Reader policy in regard to training, data collection, data access, data protection, data retention or public access of the system.

Impact on Crime

Only one (1) Mobile LPR was in use for the year. The user advised between August and the end of December 2021, he used the system to recover two (2) stolen vehicles and one (1) stolen license plate. An example of a future benefit of widespread use of the technology would be if an officer responded to a report of an armed robbery. When the officer arrived on scene and was told the make and color of the vehicle the suspect left in, the case detective could check the officer's LPR footage to see if they passed any

vehicles matching that description when they drove to the scene. If the detective found a matching vehicle, that license plate number could be used for the investigation, and the photo would be useful in disproving any claims the suspect vehicle was not in the area at the time of the incident.

Analysis of Discriminatory or Adverse Impact

LPR systems record only the license plates of motor vehicles. They do not record any kind of demographic information about occupants in the vehicles, and no information is shared with Federal agencies. Any future deployments of fixed LPR systems would include a demographic analysis of the area the cameras would be installed. Once the demographic analysis is complete, outreach to relevant groups in that neighborhood would be conducted to gauge support for the installation of the cameras.

In the process of sharing information with the community about fixed LPR systems, Police personnel attended several events, including:

- 1) The Hispanic Heritage Festival We had a table and passed out information in both English and Spanish about LPR technology.
- 2) On September 30, 2021, a joint session was held for parishioners of St. Mary, Immaculate Conception, and St. Helen Catholic churches to discuss LPRs. The session was held in Spanish. Several of the Hispanic event attendees from Twin Towers, including 2 who identified themselves as being undocumented, stated they wanted the fixed LPR system to return, as they felt the cameras made the community safer.
- 3) Additional meetings were held at the Southeast Public Library, Christ Lutheran Church, the Dakota Center, the Northwest Public Library, and the Wayne Avenue Twin Towers Business Association.

Concerns expressed from these meetings include that they were infringements on privacy, could be used for racial profiling and immigration enforcement, and information would be shared with Federal law enforcement. It was explained to the groups that data from the LPRs would be tightly restricted, and not available to outside agencies without our permission. The fixed LPRs would be placed in neighborhoods where they would be the most effective in responding to crime patterns.

There was positive feedback from the community about the department's restrictions on data sharing and use of the system. Several event attendees stated they couldn't

see any reason why the department would not use LPRs, and they clearly saw the benefits of them.

Total Cost

The Mobile LPR system costs the Police Department nothing, as it is paid for through a Homeland Security grant. In 2022, the Dayton Police Department will have the capability to add license plate reader technology to all cruisers. The updated LPR technology will be implemented only if approved through utilizing the designated public hearing process and with City Commission approval. The cost for the program is included in the existing Mobile Video Recorder contract. The Police Department also has the capability of adding fixed site LPRs. The fixed site LPRs will only be implemented through the public hearing process and with City Commission approval. The fixed site LPRs will be paid for with a grant the Police Department has received.

2019	2020	2021	2022
Cost	Cost	Cost	Cost
\$0	\$0	\$0	\$0

Assessment

The technology itself is effective. However, the system currently in use is obsolete, and would be a far more useful tool if it were in widespread use.

Requested Modifications

There are no requested modifications to the Surveillance Technology Use Policy applicable to the Mobile License Plate Readers. There were recommendations to expand the technology into the developing technology which incorporates the LPR into the in-car camera system.

Policy

https://public.powerdms.com/DAYTONOH/tree/documents/908377

6) Unmanned Aerial Surveillance (UAS)

Purpose

The purpose of the UAS program is gain real time information for specific incidents such as bomb threats, SWAT deployments, missing person searches, civil disorders, and crime scene reconstructions.

General Description

Presently, the Bomb Squad and SWAT team are the only units in the Police Department in possession of UAS devices. The devices are only to be deployed at the scene of specific incidents, e.g., an active shooter scene, missing persons, vehicle crashes, documenting crime scenes, etc. This program was not utilized in 2021. The devices may be used by the Bomb Squad for the identification of potential explosive devices and hazards and ensuring the evacuation of a disposal area. For purposes of the SWAT team, the UASs may be used to provide intelligence for making tactical decisions during volatile situations while still maintaining a safe distance from the threat. This reduces the likelihood of a violent outcome by allowing officers to de-escalate the situation from a safe distance.

Data Sharing

The Police Department did not utilize the UAS program in 2021 and does not have data sharing agreements with other jurisdictions involving it.

Citizen Complaints

The Police Department is unaware of any formal complaints or concerns about the UAS program in Dayton. Nationwide, concerns exist about potential privacy concerns involving police use of UAS units.

Internal Audits

An internal audit found no violations of the UAS Standard Operating Procedure regarding training, data collection, data access, data protection, data retention or public access of the system. The audit does recommend that the department implement a training program for the UAS.

Impact on Crime

Not applicable.

Analysis of Discriminatory or Adverse Impact

There is no evidence to suggest this technology has any discriminatory impact on any group.

Total Cost

The Department currently possess six (6) UASs. In 2018, the SWAT Team and Bomb Squad both purchased a UAS for \$2178 each. Since 2021, the SWAT Team has borrowed five (5) additional UASs from Public Works.

2019	2020	2021	2022
Cost	Cost	Cost	Cost
\$0	\$0	\$0	\$0

Assessment

The UAS program will see limited use but will play a vital role in gathering information to document evidence at crime scenes or to peacefully end dangerous situations.

Requested Modifications

There are no requested modifications to the Surveillance Technology Use Policy applicable to the UAS program.

Standard Operating Procedure

https://public.powerdms.com/DAYTONOH/tree/documents/960025

Aggregate Information Concerning Exempted Technology

The Police Department has deployed exempted technology on approximately 12 occasions throughout 2021. Since the ordinance is newly implemented, mechanisms were not in place in 2021 to provide more detailed information related to the function of exempted technologies. Processes are being developed to track some high-level statistics for future reports that would not compromise the nature of the technology and the manner it was used.

KA/aeg/pts